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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,885	02/04/2002	Tsutomu Inada	04995/049001	4838

22511 7590 10/31/2005

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EXAMINER

AGUSTIN, PETER VINCENT

ART UNIT	PAPER NUMBER
2652	

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/066,885		INADA, TSUTOMU	
	Examiner		Art Unit	
	Peter Vincent Agustin		2652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 4-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1, 2 & 4-6 are now pending.

Claim Objections

2. Claim 2 is objected to because of the following informalities:

Claim 2, third to the last line: "one of the" should be --said--, as recited in the previous version of the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2 & 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroshi et al. (Japanese Patent Application Laid-Open No. 09-237428, please refer to the machine translation) in view of Kimura (US 5,189,638).

In regard to claim 1, Hiroshi et al. disclose an optical pickup actuator circuit (see front cover) comprising: a lens holder (33) supported so as to be slidable along a support shaft (32) and rotatable around said support shaft and for holding an objective lens (26a) so that said lens forms an image of a light beam on a desired track on an information recording surface of an optical disk; a focusing coil (patent claim 1: "The coil for focusing and the coil for tracking which were attached in this lens holder") attached to said lens holder; and a focusing magnet (patent claim 1: "It has the magnet for focusing and the magnet for tracking which have been

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placed in a fixed position so tat the coil for these focusing and the coil for tracking may be countered, respectively”) fixedly disposed so as to be opposite to said focusing coil.

Claim 2 has limitations similar to those of claim 1. Furthermore, in regard to claim 2, Hiroshi et al. disclose tracking coils (patent claim 1: “The coil for focusing and the coil for tracking which were attached in this lens holder”) attached to said lens holder; and tracking magnets (patent claim 1: “It has the magnet for focusing and the magnet for tracking which have been placed in a fixed position so tat the coil for these focusing and the coil for tracking may be countered, respectively”) fixedly disposed so as to be opposite to said tracking coils.

Claim 4 has limitations similar to those of claims 1 & 2. Furthermore, in regard to claim 4, Hiroshi et al. disclose a lens holder for an objective lens which is freely movable in a vertical direction that moves apart from or toward tracks of an optical disk and in a direction that moves across said tracks (understood from the presence of the focusing coils/magnets).

However, Hiroshi et al. do not disclose: in regard to claim 1, that the optical pick-up circuit comprises two diodes, wherein each of the diodes is connected in parallel to an input line of said focusing coil so that an input voltage not lower than a predetermined voltage is led to the ground by one of the two diodes; in regard to claim 2, that a semiconductor device is provided at an input line of each of said coils so that an input voltage not lower than a predetermined voltage is led to a opposite to said ground by said semiconductor device, wherein said semiconductor device comprises two diodes, each of which are connected in parallel to an input end of said focusing coil; in regard to claim 4, that the optical pick-up circuit comprises two diodes each connected in parallel to an input line of one of said focusing and tracking coils for leading an

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input voltage of a predetermined voltage or more to a ground side; and in regard to claims 5 & 6, that said diodes comprise Zener diodes.

Kimura, in the portable semiconductor memory device art, discloses a device comprising two diodes (see Figure 7B), wherein each of the diodes is connected in parallel to an input line (27b in Figure 1) of the device so that an input voltage not lower than a predetermined voltage is led to the ground by one of the two diodes (column 6, lines 43-44: "the flow of discharge current 40 to the earth terminal 27a is permitted"), which diodes comprise Zener diodes (as shown in Figure 7B).

Hiroshi et al. and Kimura are analogous art because they are in the same problem solving area, i.e., preventing damage to devices caused by excessive voltage. It would have been obvious to one of ordinary skill in the art at the time of the invention by the Applicant to have applied the teachings of Kimura to the circuit of Hiroshi et al., the motivation being to prevent damage to the circuit caused by excessive voltage (see column 6, lines 34-47).

Response to Arguments

5. Applicant's arguments with respect to claims 1, 2 & 4-6 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Vincent Agustin whose telephone number is 571-272-7567. The examiner can normally be reached on Monday-Friday 9:30-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, A. L. Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peter Vincent Agustin
Art Unit 2652


BRIAN E. MILLER
PRIMARY EXAMINER